REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-12, 14-18, 20-23, and 25 were pending in the application, of which Claims 1, 14, 20, and 25 are independent. In the Office Action dated May 30, 2008, Claims 1-12, 14-18, 20-23, and 25 were rejected under 35 U.S.C. § 102(b). Applicants hereby address the Examiner's rejections in turn.

I.   Interview Summary

Applicants thank Examiner Termanini for the courtesy of a telephone interview on September 10, 2008, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 102. During the interview, Applicants asserted that the cited reference does not anticipate the claims as currently amended. The Examiner indicated that dependent claim 3, which depends upon Independent Claim 1 appears to contain patentable subject-matter. No agreement was reached concerning the patentability of the other claims.

II.   Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 1-12, 14-18, 20-23, and 25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,100,115 ("*Yennaco*"). Claims 1, 14, and 20 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "in response to receiving a command from a software

application to display at least one featured content item, without user input, wherein user input includes pointer device movement, retrieving featured content items stored in the system registry and displaying the featured content items on a graphical user interface." Support for these amendments can be found in the specification at least on page 11, line 1 – page 17, line 16.

In contrast, *Yennaco* at least does not teach or suggest the aforementioned recitation from Claim 1. *Yennaco* discloses an object-based method for providing content-sensitive help data. (Yennaco, 8:59-67). *Yennaco* employs a cache memory 152 and a registry 170 for data storage. (Yennaco, 7:30-55) In *Yennaco*, each component 140 has a corresponding context-sensitive help data identifier 156. (Id.) The help data identifier 156 is used to access corresponding help data 49. (Id.) The cache 152 stores help data 49 currently displayed as well as a registry 170 of help data identifiers 156 corresponding to components 140 considered to be related to one another. (Id.)

In *Yennaco*, the related help data 49 can be preloaded into the cache 152. (Yennaco, 7:50-53). A cache manager 66 may receive the cache 152 from a computer application 64. (Yennaco, 8:11-19). *Yennaco* discloses that the first time the cache 152 is referred to during registry initialization, the cache manager 66 creates the registry 170 within the cache 152 memory. (Yennaco, 8:20-28). The cache manager 66 may store the help data identifier 156 in the registry 170. (Id.) If the cache manager 66 receives a request for a context-sensitive help data 49 and receives the help data identifier 156 from an event handler. (Id.) In *Yennaco*, the request for context-sensitive data is triggered by a referral by the user to one of the components. (Yennaco, 7:66 – 8:10).

Yennaco further teaches that referencing a component is achieved through user actions, such as moving a cursor over that component. (Yennaco, 1:44-51). Nowhere does *Yennaco* disclose in response to receiving a command from a software application to display at least one featured content item, without user input, wherein user input includes pointer device movement, retrieving featured content items stored in the system registry and displaying the featured content items on a graphical user interface.

Accordingly, *Yennaco* at least does not disclose "in response to receiving a command from a software application to display at least one featured content item, without user input, wherein user input includes pointer device movement, retrieving featured content items stored in the system registry and displaying the featured content items on a graphical user interface" as recited by amended Claim 1. Applicants respectfully request withdrawal of this rejection of Claim 1.

Dependent Claims 2-12 are also allowable at least for the reasons described above regarding independent Claim 1 and by virtue of their respective dependencies upon independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-12.

Amended Claim 14 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "if the number of received featured content items is not greater than the predetermined number of featured content items, formatting said hypertext document without including the featured content items." Support for these amendments can be found in the specification at least on page 19, lines 5-12.

In contrast, *Yennaco* at least does not teach or suggest the aforementioned recitation from Claim 14. *Yennaco* discloses an object-based method for providing

content-sensitive help data. (Yennaco, 8:59-67). *Yennaco* employs a cache memory 152 and a registry 170 for data storage. (Yennaco, 7:30-55) In *Yennaco*, each component 140 has a corresponding context-sensitive help data identifier 156. (Id.) The help data identifier 156 is used to access corresponding help data 49. (Id.) The cache 152 stores help data 49 currently displayed as well as a registry 170 of help data identifiers 156 corresponding to components 140 considered to be related to one another. (Id.)

In *Yennaco*, the related help data 49 can be preloaded into the cache 152. (Yennaco, 7:50-53). A cache manager 66 may receive the cache 152 from a computer application 64. (Yennaco, 8:11-19). *Yennaco* discloses that the first time the cache 152 is referred to during registry initialization, the cache manager 66 creates the registry 170 within the cache 152 memory. (Yennaco, 8:20-28). The cache manager 66 may store the help data identifier 156 in the registry 170. (Id.) If the cache manager 66 receives a request for a context-sensitive help data 49 and receives the help data identifier 156 from an event handler. (Id.) In *Yennaco*, the request for context-sensitive data is triggered by a referral by the user to one of the components. (Yennaco, 7:66 – 8:10). Yennaco further teaches that referencing a component is achieved through user actions, such as moving a cursor over that component. (Yennaco, 1:44-51). *Yennaco* makes no consideration as to whether a threshold of featured content items has been reached prior to display.

Accordingly, *Yennaco* at least does not disclose "if the number of received featured content items is not greater than the predetermined number of featured content items, formatting said hypertext document without including the featured content items"

as recited by amended Claim 14. Applicants respectfully request withdrawal of this rejection of Claim 14.

Dependent Claims 15-18 are also allowable at least for the reasons described above regarding independent Claim 14 and by virtue of their respective dependencies upon independent Claim 14. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 15-18.

Amended Claim 20 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "determining, without user input, if the featured content item is highly rated by a user." Support for these amendments can be found in the specification at least on page 23, lines 16-24.

In contrast, *Yennaco* at least does not teach or suggest the aforementioned recitation from Claim 20. *Yennaco* discloses an object-based method for providing content-sensitive help data. (Yennaco, 8:59-67). *Yennaco* employs a cache memory 152 and a registry 170 for data storage. (Yennaco, 7:30-55) In *Yennaco*, each component 140 has a corresponding context-sensitive help data identifier 156. (Id.) The help data identifier 156 is used to access corresponding help data 49. (Id.) The cache 152 stores help data 49 currently displayed as well as a registry 170 of help data identifiers 156 corresponding to components 140 considered to be related to one another. (Id.)

In *Yennaco*, the related help data 49 can be preloaded into the cache 152. (Yennaco, 7:50-53). A cache manager 66 may receive the cache 152 from a computer application 64. (Yennaco, 8:11-19). *Yennaco* discloses that the first time the cache 152 is referred to during registry initialization, the cache manager 66 creates the registry 170

within the cache 152 memory. (Yennaco, 8:20-28). The cache manager 66 may store the help data identifier 156 in the registry 170. (Id.) If the cache manager 66 receives a request for a context-sensitive help data 49 and receives the help data identifier 156 from an event handler. (Id.) In *Yennaco*, the request for context-sensitive data is triggered by a referral by the user to one of the components. (Yennaco, 7:66 – 8:10). Yennaco further teaches that referencing a component is achieved through user actions, such as moving a cursor over that component. (Yennaco, 1:44-51). Nowhere does *Yennaco* take into account user ratings of available help data prior to display.

Accordingly, *Yennaco* at least does not disclose "determining, without user input, if the featured content item is highly rated by a user" as recited by amended Claim 20. Applicants respectfully request withdrawal of this rejection of Claim 20.

Dependent Claims 21-23 are also allowable at least for the reasons described above regarding independent Claim 20 and by virtue of their respective dependencies upon independent Claim 20. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 21-23.

III.   Rejection of Claim 25 Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claim 25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,100,115 ("*Yennaco*"). Applicants respectfully submit that the Examiner's rejection is improper as the Examiner failed to address a large number of elements in Independent Claim 25.

For example, the Examiner addresses the preamble and the first and last elements of Claim 25. However, the Examiner fails to address the other eleven

elements of Claim 25, including: "if no featured content items are stored in the system registry, selecting a predetermined number of default items from a list of default items stored in memory and displaying the data of the default items on a graphical user interface;

if a featured content item is stored in the system registry, retrieving the featured content item from the system registry and displaying the featured content item on the graphical user interface;

determining if the client computer is connected to a computer network;

if the client computer is connected to a computer network, generating, without user input, a database query for featured content items, the featured content items having information focused on a specific topic;

receiving featured content items in response to the database query;

storing the featured content items in a local memory;

selecting a predetermined number of featured content items from the featured content items stored in the system registry;

storing the selected featured content items in the system registry;

in response to receiving a command from a software application to display at least one featured content item, without user input, retrieving featured content items stored in the system registry and displaying the featured content items on the graphical user interface;

if the client computer is not connected to a computer network, registering a callback request with a network status application program interface to be notified when

the network status application program interface determines that the client computer is connected to the computer network;

determining if there are any up-to-date featured content items stored in the local memory;

if an up-to-date featured content item is stored in the local memory, storing the up-to-date featured content item in the system registry".

Accordingly, Applicants respectfully request proper examination of Independent Claim 25.

IV.   Rejection of Claims 3-4 Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 3-4 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,100,115 ("*Yennaco*"). Claim 4 has been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 4 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "wherein selecting a predetermined number of featured content items includes randomly selecting three featured content items from the featured content items stored in the local memory." Support for these amendments can be found in the specification at least on page 15, lines 4-13.

As indicated above, Examiner determined that dependent claim 3 appeared to have patentable subject matter. Claim 4 has been amended to incorporate the limitation disclosed in Claim 3. Applicants respectfully contend that amended claim 4 contains patentable subject matter for the same reasons as claim 3.

V.   Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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